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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/551,624	06/26/2006	Stephane Moreau	17258/002001	5504

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OSHA LIANG L.L.P.
TWO HOUSTON CENTER
909 FANNIN, SUITE 3500
HOUSTON, TX 77010

EXAMINER

COMLEY, ALEXANDER BRYANT

ART UNIT	PAPER NUMBER
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3746

NOTIFICATION DATE	DELIVERY MODE
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07/08/2011

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@oshaliang.com
hathaway@oshaliang.com
kennedy@oshaliang.com

Office Action Summary	Application No. 10/551,624	Applicant(s) MOREAU ET AL.	
	Examiner ALEXANDER COMLEY	Art Unit 3746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 9-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 9-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 January 2010 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of the Claims

1. Examiner acknowledges receipt of Applicant's submitted arguments and remarks filed with the Office on April 26th, 2011 in response to Non-Final Office Action mailed by the Office on January 26th, 2011. Per Applicant's response, no claims have been amended, cancelled, or added. As such, all claims remain in their previously-presented form. Therefore, Claims 1 & 9-18 still pending in the instant application. The Examiner has carefully considered each of Applicant's amendments and remarks, and they will be addressed below.

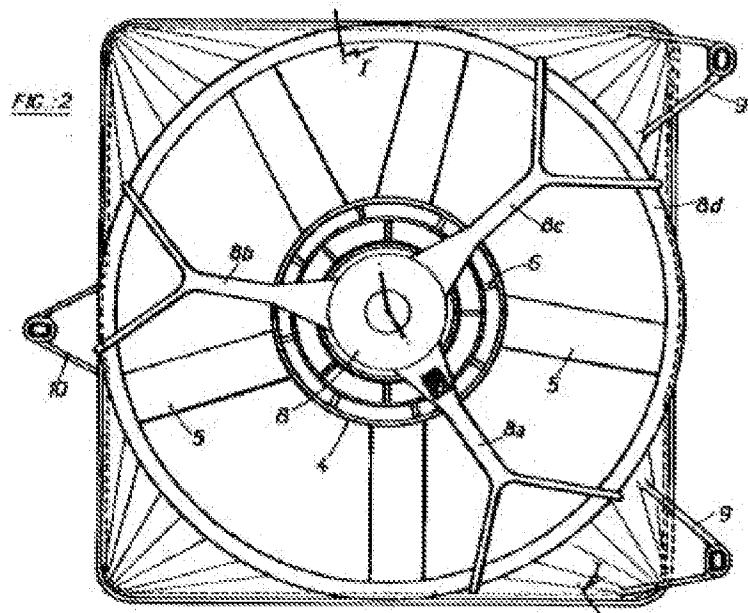
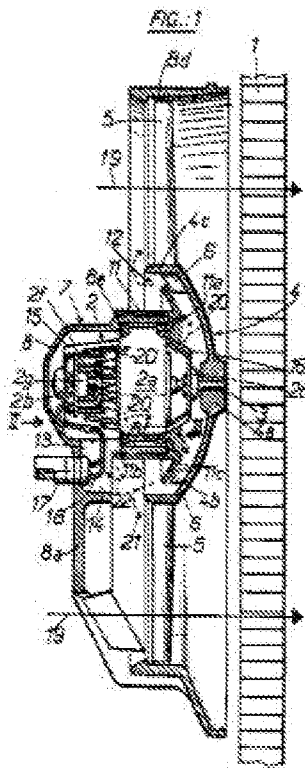
Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1 and 9-18** are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 4,210,833 to Neveux.



In regards to Independent Claim 1, and with particular reference to Figures 1-2 shown immediately above, Neveux discloses a motor-fan unit (i.e. ventilation device) for the cooling of the circulation water of an automotive internal combustion engine (see Abstract). As shown above, a fan composed of blades 5 is rotationally driven by an open electric motor 2 which is firmly attached to a central support housing (7, 8, 11). Central housing (i.e. central part) is supported by three surrounding support arms (8a-8c), a support collar 8d, and fixing lugs (9, 10). Such a support allows the motor-fan unit to be supported behind a radiator of an automotive engine such that the air circulated therethrough can cool the water flowing within the radiator in a well-known manner (see col. 2, lines 26-30). Central housing 7 is comprised of front (8) and rear (11) housing portions that tightly engage with one another in order to fixedly secure the

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motor 2 therein (see col. 2, lines 40-53) Motor 2 is of the open type such that its electrical circuits are freely exposed to atmosphere (see col. 2, lines 64-65). A motor shaft 3 extends out of motor 2 and is fixedly connected to a rotor 4, which is comprised of a central hub 4a, circular wall 4b, and peripheral part 4c. As seen best in figure 1, the rotor 4 forms a bowl shape, inside which internal cooling ribs/blades 6 are formed for ventilating the interior of the electric motor 2 (see col. 2, lines 30-39). As seen in best in Figure 1, an annular opening (i.e. through hole) is disposed within housing 7 and is formed complementary to the outer wall of motor 2. The opening extends directly through the center thereof such that the motor is received and held therein (see Fig. 1). Neveux further discloses that the interior shoulder 8e and resilient abutments 11a of the opening directly engage (i.e. are in contiguous sealing contact) with the outer edge of the motor ring 2a (see col. 2, lines 46-49). As such, it appears that Neveux discloses all of Applicant's claimed elements.

4. In regards to dependent **Claims 9-10**, see Col. 2, lines 45-53 of Neveux, as well as the analysis for Independent Claim 1 above. Regarding dependent **Claims 11 & 14**, front housing 8 forms a curved, active surface positioned opposite the bowl-shaped rotor 4 (see Figure 1) such that cooling air entering the motor in a smoothly flowing manner. In regards to dependent **Claims 12-13 & 15**, the upper left-hand portion of front housing 8 forms a quarter of a circle with the flat, linear left end face forming a substantially transverse portion and the flat, top face forming a substantially axially extending portion (parallel to motor). It is apparent that the housing 7 forms an annular-

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shaped (i.e. hole shaped) opening that extends opposite that of the rotor bowl 4.

Regarding dependent **Claim 16**, Figure 2 clearly shows a collar 8d (i.e. peripheral part) forming a supporting frame that is connected to the central housing 7 via supporting arms (8a-8c). In regards to dependent **Claims 17-18**, Neveux clearly states that the motor-fan unit is for use as an engine cooling and ventilation device of a vehicle.

Response to Arguments

5. Applicant's arguments filed April 26th, 2011 have been fully considered but they are not persuasive. The Examiner's responses can be seen below.

6. In regards to Applicant's argument that the housing 7 of Neveux is not in contiguous sealing contact with the outer surface of the motor, the Examiner must respectfully disagree. As stated above, Neveux's central opening extends directly through the center thereof such that the motor is received and held therein (see Fig. 1). Neveux specifically discloses that the interior shoulder 8e and resilient abutments 11a of the opening directly engage (i.e. are in contiguous sealing contact) with the outer edge of the motor ring 2a. In particular, Neveux states "Resilient abutments 11a are disposed inside back part 11 and cause the magnetic ring 2a of motor 2 to rest against an interior shoulder 8e of front part 8. Rib 8f is disposed externally of front part 8 and resiliently surmounts a step 11b of back part 11. Rib 8f becomes latched behind step 11b when back part 11 is engaged to front part 8. 2 is thus fixed in housing 7." (Col. 2, lines 46-53) Thus, Neveux specifically discloses a direct contact between the

surrounding housing 7 and the motor housing 2a whenever the front and rear housing portions are latched together. Therefore, the Examiner would respectfully assert that Neveux does, in fact, disclose and show Applicant's claimed continuous contiguous contact between the housing and motor.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALEXANDER COMLEY whose telephone number is (571)270-3772. The examiner can normally be reached on M-F 7:30am - 5:00am EST (Alternate Fridays Off). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Devon C. Kramer can be reached on (571)-

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272-7118. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alexander B Comley/
Examiner, Art Unit 3746

/Devon C Kramer/
Supervisory Patent Examiner, Art
Unit 3746

ABC